

REMARKS

Claims 12-16 are pending. Claims 12 and 16 have been amended. Claims 1-11 have been cancelled for being drawn to a non-elected species. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claim Objections

Claim 16 was objected to for containing a minor informality. Applicants have amended the claim to correct the informality. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this objection.

Claim Rejections Under 35 U.S.C. § 102

Claims 12-14 were rejected under 35 U.S.C. § 102(b) over Jackson (U.S. Publication No. 2002/0168810). Applicants respectfully traverse this rejection.

Amended claim 12 recites, in part, a method for manufacturing a nano-gap electrode device that includes forming a nano-gap between a first electrode and a second electrode, by completely removing a separation layer remained therebetween.

In contrast, Jackson disclosed a lateral nanostructure that is formed by briefly etching the aluminum oxide layer 66 to form a recess 72. As seen in Figure 5e, the spacer 66 is only partially etched (see, for example, paragraph [0015]. Jackson does not teach completely removing a separation layer since Jackson only teaches removing a portion of the spacer 66. Accordingly, Jackson fails to teach, or even suggest, a method for manufacturing a nano-gap electrode device that includes forming a nano-gap between a first electrode and a second electrode, by completely removing a separation layer remained therebetween, as recited in amended claim 12.

Claims 13 and 14 are believed allowable for at least the same reasons presented above with respect to claim 12 by virtue of their dependence upon claim 12. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claim Rejections Under 35 U.S.C. § 103

Claims 15 and 16 were rejected under 35 U.S.C. § 103(a) over Jackson in view of Tsai et al. (U.S. Patent No. 6,781,160). Applicants respectfully traverse this rejection.

Claims 15 and 16 are believed allowable for at least the same reasons presented above with respect to claim 12 by virtue of their dependence upon claim 12 and because

Tsai does not remedy the deficiencies of Jackson discussed above with respect to the features of claim 12. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Conclusion

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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